IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6793 OF 2005
IN
CRI.APPILCATION NO.4621 OF 2005

Bhagwan Tukaram Adole and
Ors. ..Applicants
Vs.
State of Maharashtra ..Respondents

...
Mr.Rajendra Shirodkar for Applicants
Ms.R.M.Gadhavi A.P.P. for State
...

CORAM: A.M.KHANWILKAR,J.
DATE : DECEMBER 8, 2005

P.C.

1. Heard the counsel for the parties. The applicants have been released on bail on certain conditions. One of the condition is that the applicant shall not enter Igatpuri Taluka during the pendency of the trial except to attend the Court cases on the specified dates. By this Application, the applicants pray that the said condition be relaxed to the extent that applicants may be allowed to enter Igatpuri Taluka to report to their duty as they are unable to attend duty due to the condition imposed by this Court which may result in dismissal from service. Admittedly, the applicants have not reported to their work since October, 2004. In this connection, the applicants were called upon to produce communication issued by

the employer of the concerned applicants to show that their employer has insisted that they should report to duty forthwith. Such communication has been produced only in respect of applicant no.1 dated 26th November, 2005. Counsel for the applicants fairly accepts that no such communication has been issued by the respective employer of applicant Nos.2 to 4. In the circumstances, the condition imposed under the order dated 31st August, 2005 can be relaxed only in respect of the applicant no.1 by permitting him to enter Igatpuri Taluka during the pendency of the trial to attend Court cases on the specified dates as well as to report to his work at Igatpuri plant of Mahendra and Mahendra Ltd. The applicant no.1 shall however remove himself from Igatpuri Taluka after working hours.

2. Application disposed of in the above terms.

3. In so far as other applicants are concerned, it will be open for them to produce communication from their respective employer to the effect that they should report to duty and renew their request for relaxing the condition on similar terms.

[A.M.KHANWILKAR, J.]